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IN THE CIRCUIT COURT OF OREGON

COUNTY OF MULTNOMAH

<p>ANDY NGO, an individual,</p> <p>Plaintiff,</p> <p>v.</p> <p>ROSE CITY ANTIFA, an unincorporated association; BENJAMIN BOLEN, an individual; JOHN HACKER, an individual; CORBYN (KATHERINE) BELYEA, an individual; JOSEPH CHRISTIAN EVANS, an individual; MADISON LEE ALLEN, an individual; ELIZABETH RENEE RICHTER, an individual; Does 1-50,</p> <p>Defendants.</p>	<p>Case No. 20CV19618</p> <p><b>FIRST AMENDED COMPLAINT</b></p> <p>(Assault; Battery; Intentional Infliction of Emotional Distress; ORICO, ORS ¶ 166.720, <i>et seq.</i>);</p> <p>Claim over \$50,000; amount pleaded: \$900,000</p> <p>NOT SUBJECT TO MANDATORY ARBITRATION</p> <p>JURY TRIAL DEMANDED</p> <p>Filing fee per ORS 21.160(1)(c)</p>
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Plaintiff Andy Ngo (“Plaintiff” or Ngo”), by and through his undersigned counsel, states the following for his First Amended Complaint:

1. Defendants have sought to suppress independent journalist Ngo’s activities through a coordinated pattern of violent, harassing, and stalking behavior. Defendant Rose City Antifa is an offshoot of Antifa, a group deemed a “domestic terrorist group” by the U.S. government, and widely known for its organized violence and riotous behavior. Ngo, with his persistent reporting, has brought to light many misdeeds of this terrorist organization and is perhaps more responsible than any other American journalist for increasing public awareness of the threat Antifa and its followers pose to public safety. In retaliation for Ngo’s unfavorable coverage, and in an effort to intimidate Ngo from further exposing Antifa’s illegal acts, Defendants have targeted Ngo, including by assaulting and threatening Ngo to the point of

1 causing lasting and significant physical injuries; publicizing private and personal information  
2 about the whereabouts of Ngo and his family; and even attempting to break into his family's  
3 home, among a multitude of other threats and acts of violence.

4 2. Ngo brings this action seeking compensation from Defendants for the severe harm  
5 Defendants have caused, and for preliminary and permanent injunctive relief enjoining  
6 Defendants from further assaulting, threatening, stalking, or otherwise harassing Ngo.

### 7 **JURISDICTION AND VENUE**

8 3. The Circuit Court of the State of Oregon has jurisdiction over this action pursuant  
9 to ORS 14.030, and because Defendants have purposefully availed themselves of the benefits  
10 and protections of the State of Oregon. On information and belief Defendants reside in Oregon,  
11 and the causes of action complained of herein arise under Oregon law.

12 4. Venue is proper pursuant to ORS 14.050 and 14.080 because all or a substantial  
13 portion of the acts complained of herein occurred in Multnomah County, Oregon.

### 14 **PARTIES**

15 5. Plaintiff Andy Ngo is an individual who previously resided in Portland, Oregon  
16 and is likely to travel to and visit Portland, Oregon, regularly, as a part of his reporting activities.

17 6. Rose City Antifa is an association based in Portland, Oregon. Many, if not the  
18 majority, of its members are Portland residents. Rose City Antifa is an organized group of  
19 individuals which trains and directs the actions of its members. Luis Marquez is one of the  
20 leaders of Rose City Antifa.

21 7. Defendant Corbyn (Katherine) Belyea ("Belyea") is an individual who, on  
22 information and belief, resides in Multnomah County, Oregon.

23 8. Defendant Benjamin Bolen ("Bolen") is an individual and who, on information  
24 and belief, resides in Multnomah County, Oregon and is a member of Rose City Antifa.

1           9.       Defendant Joseph Christian Evans (“Evans”) is an individual who reportedly does  
2 not have a local address, but has been known to reside under the Burnside Bridge in Portland,  
3 Oregon.

4           10.       Defendant John Hacker (“Hacker”) is an individual who, on information and  
5 belief, resides in Oregon.

6           11.       Defendant Madison Lee Allen (“Allen”) is an individual who committed the acts  
7 alleged herein in Oregon, and, on information and belief, resides in Oregon.

8           12.       Defendant Elizabeth Renee Richter (“Richter”) is an individual who, upon  
9 information and belief, resides in Oregon.

10           13.       Plaintiff does not know the legal names of Defendants Does 1-50, and  
11 accordingly sues them under fictitious names. Does 1-50 are any persons who directed,  
12 conspired, neglected to prevent, or engaged in the tortious conduct described below.

13   **FACTUAL ALLEGATIONS**

14           14.       Andy Ngo is an independent journalist, who is best known for his news coverage  
15 of “Antifa,” an extremist movement and organization of far-left violent individuals who are  
16 renowned for their militant opposition to the government, law enforcement and people perceived  
17 as “right-wing.” In the U.S., Antifa calls for insurrectionary anarchy to overthrow the American  
18 government.<sup>1</sup> Antifa groups in Europe similarly resort to violence in pursuit of political change.

19           15.       Antifa members engage in rioting, property destruction, and armed brawls with  
20 political opponents and bystanders or journalists perceived to be allies of their opponents.

21 \_\_\_\_\_  
22 <sup>1</sup> [https://thehill.com/opinion/criminal-justice/500764-why-its-likely-to-be-antifa-not-neo-nazis-](https://thehill.com/opinion/criminal-justice/500764-why-its-likely-to-be-antifa-not-neo-nazis-behind-the-anarchy-in-americas-streets)  
23 [behind-the-anarchy-in-americas-streets;](https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-they-always-were)  
24 [https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-](https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-they-always-were)  
[they-always-were.](https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-they-always-were)

1 According to Antifa, any violence against public demonstrations by groups they view as fascist,  
2 racist, xenophobic, homophobic, conservative, or right-wing is inherently “self-defense”—  
3 irrespective of whether such groups actually subscribe to such views— because such public  
4 demonstrations purportedly lead to violence against marginalized groups.

5 16. Despite Antifa’s self-indulgent proclamations of protecting minority groups,  
6 Defendants, who upon information and belief are members of or are closely affiliated with  
7 Antifa, have targeted Ngo, a journalist who is of Asian descent and gay, for his unfavorable news  
8 coverage of them.

9 17. Defendants and their fellow Antifa members or supporters and “allies” have  
10 physically accosted and viciously assaulted Ngo at protests that he was covering, stolen his  
11 photographic equipment, publicized the addresses of his family home and mother’s business,  
12 tried to force entry into his house, and stalked him in his personal life, including by attacking and  
13 stealing his phone while at a gym.

14 18. Rose City Antifa is the Portland chapter of Antifa.

15 19. Defendant Rose City Antifa constitutes a racketeering enterprise within the  
16 meaning of ORS § 166.715.

17 20. “Popular Mobilization” (also called “PopMob”) was established by Alisha Berry,  
18 a member of Rose City Antifa. PopMob is purportedly not as violent as Rose City Antifa, but  
19 still engages in activities to counter perceived fascist and racist protests. PopMob and Rose City  
20 Antifa share leadership and members, and the two groups often collaborate.

21 **The May Day Rabbit-Punch and Bear-Macing.**

22 21. On May 1, 2019, Ngo was covering demonstrations that commemorated the pro-  
23 labor holiday “May Day” in Portland, Oregon.

1           22.     While video-recording the events, Ngo was set upon by mask-clad Rose City  
2 Antifa members and others.

3           23.     Among them was Defendant Bolen, a heavy-set white man sporting a brimmed,  
4 black beanie, white-framed sunglasses, dark bandanna with white patterning, and black gloves  
5 with hard extensions near the knuckle area. He carried a distinctive skateboard.



15           24.     Bolen struck Ngo in the abdomen with his fist, causing Ngo significant pain and  
16 severe emotional distress. Ngo reasonably feared for his safety following the incident. After the  
17 attack, Bolen melted into the crowd outside the Immigration and Customs Enforcement facility  
18 at 4310 S. Macadam Ave.

19           25.     Based on his attire, Bolen is, on information and belief, a member of Rose City  
20 Antifa.

1           26.     Ngo then left the area of the attack, and went to cover a demonstration by a group  
2 called Patriot Prayer, against Antifa near a northeast Portland bar called “Cider Riot,” which, at  
3 the time, was frequented Rose City Antifa members and their supporters.<sup>2</sup>

4           27.     During a verbal confrontation that ensued between members of the Patriot Prayer  
5 and Rose City Antifa, several Antifa members began throwing punches and spraying bear mace  
6 at their opponents, and a brawl broke out.

7           28.     While Ngo was recording these events, Doe 1, a heavy-set, sunglass-wearing  
8 white woman sporting a black hoodie, light-colored bandanna with black stripes, and a hammer  
9 and sickle tattoo on her inner right forearm, depicted in the image below, sprayed Ngo in the face  
10 and eyes with bear mace.<sup>3</sup> Doe 1 is believed to be a member of Rose City Antifa.



21           <sup>2</sup> Cider Riot has since closed, permanently, following the death of a 23-year-old Antifa  
22 member, Sean Kealiher, in a shooting involved hit-and-run on October 12, 2019 near the Cider  
Riot. <https://www.opb.org/news/article/antifa-killed-homicide-cider-riot-sean-kealiher/>.

23           <sup>3</sup> See 23:10-13 at:  
24 <https://www.youtube.com/watch?v=tb4KREvKYBA&feature=youtu.be>.

1           29.     The attack left Ngo temporarily blinded and caused Ngo to fear for his safety and  
2 that he might be further threatened or attacked. The incident caused Ngo severe pain,  
3 humiliation, and emotional distress.

4                           **May 7, 2019 Assault by Antifa Member at Andy Ngo's Gym.**

5           30.     On May 7, 2019, Defendant John Hacker threw an unknown liquid onto Ngo's  
6 head while Ngo was at his local gym.

7           31.     On information and belief, Hacker intended to frighten and intimidate Ngo in  
8 retaliation for his journalistic coverage of Rose City Antifa and other counter-protesters.

9           32.     When Ngo began to record Hacker with his phone, Hacker forcibly took the  
10 phone from Ngo, without Ngo's consent.

11          33.     Hacker refused to return the phone to Ngo, causing gym staff to intervene and  
12 return the phone to Ngo.



20          34.     Hacker's membership to the gym was later revoked by management.

21          35.     Ngo reasonably fears that Hacker may commit further acts of violence against  
22 Ngo should he encounter Hacker again. Indeed, as set forth below, Hacker participated in events  
23 on May 28, 2021 that resulted in Ngo being beaten by a group of Antifa members.

1 **June 29, 2019 Attacks**

2 36. On June 29, 2019, more protests arose, and Rose City Antifa faced-off against  
3 conservative protesters.

4 37. Ngo was in the midst of these protests in his capacity as a journalist, recording  
5 events on his GoPro video camera and phone for later analysis and commentary.

6 38. Ngo was attacked on two separate occasions on this day.

7 39. In the first event, Rose City Antifa members and others, including Does 2-20,  
8 lobbed containers full of liquid, purportedly “milkshakes” they had acquired from PopMob, and  
9 other unknown liquids, at Ngo. Portland Police issued a warning on social media that day that the  
10 “milkshakes” may have contained quick-drying concrete.

11 40. One such “milkshake”-tossing assailant was Defendant Katherine (Corbyn)  
12 Belyea, depicted in the following image:



22 41. Portland police officers took a crime report from Ngo regarding the assault, but  
23 refused to confront Belyea, who was still in nearby in the park  
24



1           42.     Later, at the same protest, without warning, Ngo was suddenly mobbed and  
2 bloodied by a group of Rose City Antifa members and others, including Does 21-43, who threw  
3 projectiles, including milkshakes, eggs, and containers; punched; and kicked him. Members also  
4 hit him in the head with plywood hard-edged sign placards, and carbon-hardened tactical gloves.

5           43.     One of the attackers, referred to herein as Doe 21, was a red-haired, white woman  
6 who arrived as a passenger in a white Subaru Outback with the Oregon license plate “456 LJG.”

7           44.     Defendant Joseph Christian Evans was among the group of assailants who  
8 attacked Ngo. Evans was one of the first to strike Ngo, his actions inciting further violence  
9 against Ngo.

10          45.     Defendant Madison Lee Allen was among the group of assailants who attacked  
11 Ngo. Lee struck Ngo over the head with placard, while sporting green hair and a light, red-  
12 colored bandanna, as depicted below. Defendant Evans can be seen in the same photograph, just  
13 to the right of Allen.



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1           46.     Allen showed her face at one time during the protests which was captured on  
2 camera, as depicted below:



12           47.     During the mobbing, Ngo lost grip of his GoPro camera, which a Rose City  
13 Antifa member, Doe 44, immediately stole.

14           48.     The mob then dispersed and blended into the surrounding crowd.

15           49.     Ngo was able to break away and requested assistance from the medic team  
16 associated with the Portland Police. The police medics directed Ngo to the central police  
17 precinct, the same area in which he was just beaten.

18           50.     Ngo then walked himself to the police precinct, where he taken by ambulance to  
19 Oregon Health & Science University and, after testing, was diagnosed with a subarachnoid brain  
20 hemorrhage and hospitalized overnight.

21           51.     As a result of the attacks, Ngo suffered severe pain, humiliation, and emotional  
22 distress, for which he continues to receive treatment.

1 **“I Know Where You Live”**

2 52. On October 31, 2019, at least six masked Antifa members, including Does 45-50,  
3 inclusive, approached Ngo’s family home and stood outside the door. Each of their masks bore a  
4 printout of Ngo’s face.

5 53. They banged on Ngo’s windows, rang the doorbell, and tried to gain entry into  
6 Ngo’s family home by trying the door handle to see if the door was locked or not. They were not  
7 carrying trick or treat bags, and, on information and belief, intended to harass, intimidate, and  
8 harm Ngo.

9 54. Ngo was present in the home at the time. He called the police and recorded the  
10 trespassers on his home security system. The individuals left before police arrived.



21 55. Soon after this incident, Ngo realized that personal information about him, his  
22 family, and his mother’s small business had been released publicly. Upon information and  
23 belief, the six masked individuals were Antifa members who used the publicized information to  
24 track Andy to his house and intimidate him.



1 the attacker loosened his grip, Ngo escaped and ran into The Nines Hotel at 525 SW Morrison  
2 Street. Richter pursued Ngo into the hotel.

3 62. Defendant Richter and several others assembled outside the Hotel and began  
4 shouting threats of violence and attempting to break into the hotel. *Willamette Week* posted a  
5 video of them screaming in rage and attacking the Hotel, available at  
6 <https://www.youtube.com/watch?v=WdAIHhQ1UFA>, which is incorporated by reference as if  
7 set forth herein.

8 63. Those assembled outside the Hotel made additional threats, with Defendant  
9 Richter stating in words or substance, “you thought the milkshakes were bad last time (a  
10 reference to the incident alleged above in ¶¶ 38-39) we’re going to beat the f\*\*k out of you,  
11 bitch!”

12 64. During this time, supporters of the assailants were also making additional online  
13 threats, and aiding and abetting efforts to continue the attack by broadcasting, via social media,  
14 of Ngo’s whereabouts at the Nines Hotel, for the express purpose of encouraging violent assaults  
15 on Ngo’s person.

16 65. All these and other threats made against Ngo were reasonably perceived by him,  
17 and intended by their makers, to constitute a serious expression of intent to harm him.

18 66. All these and other threats constituted concerted action to engage in unlawful  
19 conduct as part of the ongoing racketeering enterprise alleged herein.

20 **CLAIMS**  
21 **FIRST CLAIM FOR RELIEF**  
22 **Assault – Common Law**  
(By Plaintiff against all Defendants)

23 67. Plaintiff incorporates herein by reference each and every allegation contained in  
24 the preceding paragraphs of this Complaint as though fully set forth herein.

1           68.     Defendants intended offensive or harmful contact with Andy Ngo and/or put him  
2 in apprehension of such offensive or harmful contact with his person.

3           69.     Defendants placed Andy Ngo in apprehension of immediate physical contact that  
4 appeared to be and that was harmful and/or offensive.

5           70.     The acts or omission of the Defendants were the legal and proximate cause of  
6 Andy Ngo's damages.

7           71.     As a result of Defendants' actions, Ngo has suffered harm to his person, causing  
8 injuries to his head and body, including bruising. Ngo has suffered severe pain, discomfort, and  
9 emotional distress, as well as inconvenience and interference with everyday activities. As a result  
10 of his injuries, Ngo required medical care and ongoing medical treatment.

11          72.     With respect to the May 1, 2019 assaults, Defendants Rose City Antifa, Bolen,  
12 and Doe 1, (1) committed these tortious acts in concert with each other and pursuant to a  
13 common design to target Andy Ngo and forcibly dissuade him from covering Antifa protests; (2)  
14 knew that each other's conduct constituted a breach of duty to not commit violence against Andy  
15 Ngo and gave substantial assistance or encouragement to the other Antifa members to engage in  
16 such conduct; and/or (3) gave substantial assistance to each other in accomplishing the tortious  
17 result and each member's own conduct, separately considered, constituted a breach of duty to the  
18 third person.

19          73.     With respect to the June 29, 2019 assaults, Defendants Rose City Antifa, Belyea,  
20 Evans, Allen, and Does 2-44 (1) committed the tortious acts in concert with each other and  
21 pursuant to a common design to target Andy Ngo and forcibly dissuade him from covering  
22 Antifa protests as a journalist; (2) knew that each other's conduct constituted a breach of duty to  
23 not commit violence against Andy Ngo and gave substantial assistance or encouragement to the  
24 other Antifa members to engage in such conduct; and/or (3) gave substantial assistance to each

1 other in accomplishing the tortious result and each member's own conduct, separately  
2 considered, constituted a breach of duty to the third person.

3 74. With respect to the October 31, 2019 assaults, Defendants Rose City Antifa and  
4 Does 45-50 (1) committed the tortious acts in concert with each other and pursuant to a common  
5 design to target Andy Ngo and forcibly dissuade him from covering Antifa protests as a  
6 journalist; (2) knew that each other's conduct constituted a breach of duty to not commit  
7 violence against Andy Ngo and gave substantial assistance or encouragement to the other Antifa  
8 members to engage in such conduct; and/or (3) gave substantial assistance to each other in  
9 accomplishing the tortious result and each member's own conduct, separately considered,  
10 constituted a breach of duty to the third person.

11 75. With respect to the May 28, 2021 assaults, Defendants Rose City Antifa, Hacker,  
12 and Richter (1) committed these tortious acts in concert with each other and pursuant to a  
13 common design to target Andy Ngo and forcibly dissuade him from covering Antifa protests as a  
14 journalist; (2) knew that each other's conduct constituted a breach of duty to not commit  
15 violence against Andy Ngo and gave substantial assistance or encouragement to the other Antifa  
16 members to engage in such conduct; and/or (3) gave substantial assistance to each other in  
17 accomplishing the tortious result and each member's own conduct, separately considered,  
18 constituted a breach of duty to the third person.

19 76. Ngo reasonably fears for his safety, and the safety of his family, and there exists a  
20 serious risk that Defendants will engage in further acts of violence against Ngo in retaliation for  
21 Ngo's continued journalistic coverage of Antifa activities, absent permanent injunctive relief.

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**SECOND CLAIM FOR RELIEF**  
**Battery – Common Law**  
(By Plaintiff against all Defendants)

77. Plaintiff incorporates herein by reference each and every allegation contained in the preceding paragraphs of this Complaint as though fully set forth herein.

78. Defendants intended offensive or harmful contact with Andy Ngo.

79. Defendants caused or directly engaged in offensive or harmful contact with Andy Ngo.

80. Defendants' actions or omissions proximately resulted in damages to Andy Ngo.

81. As a result of Defendants' actions, Ngo has suffered harm to his person, causing injuries to his head and body, including bruising. Ngo has suffered severe pain, discomfort, and emotional distress, as well as inconvenience and interference with everyday activities. As a result of his injuries, Ngo required medical care and ongoing medical treatment.

82. With respect to the May 1, 2019 attacks, Defendants Rose City Antifa, Bolen, and one or more Doe Defendants (1) committed these tortious acts in concert with each other and pursuant to a common design to target Andy Ngo and forcibly dissuade him from covering Antifa protests, (2) knew that each other's conduct constituted a breach of duty to not commit violence against Andy Ngo and gave substantial assistance or encouragement to the other Antifa members to engage in such conduct, and/or (3) gave substantial assistance to each other in accomplishing the tortious result and each member's own conduct, separately considered, constituted a breach of duty to the third person.

83. With respect to the June 29, 2019 attacks, Defendants Rose City Antifa, Belyea, Evans, Allen, and one or more Doe Defendants (1) committed these tortious acts in concert with each other and pursuant to a common design to target Andy Ngo and forcibly dissuade him from covering Antifa protests, (2) knew that each other's conduct constituted a breach of duty to not



1 commit violence against Andy Ngo and gave substantial assistance or encouragement to the  
2 other Antifa members to engage in such conduct, and/or (3) gave substantial assistance to each  
3 other in accomplishing the tortious result and each member's own conduct, separately  
4 considered, constituted a breach of duty to the third person.

5 84. With respect to the May 28, 2021 attacks, Defendants Rose City Antifa, Hacker,  
6 Richter and one or more Doe Defendants (1) committed these tortious acts in concert with each  
7 other and pursuant to a common design to target Andy Ngo and forcibly dissuade him from  
8 covering Antifa protests, (2) knew that each other's conduct constituted a breach of duty to not  
9 commit violence against Andy Ngo and gave substantial assistance or encouragement to the  
10 other Antifa members to engage in such conduct, and/or (3) gave substantial assistance to each  
11 other in accomplishing the tortious result and each member's own conduct, separately  
12 considered, constituted a breach of duty to the third person.

13 85. Ngo reasonably fears for his safety, and the safety of his family, and there exists a  
14 serious risk that Defendants will engage in further acts of violence against Ngo in retaliation for  
15 Ngo's continued journalistic coverage of Antifa activities, absent permanent injunctive relief.

16 **THIRD CLAIM FOR RELIEF**  
17 **Intentional Infliction of Emotional Distress – Common Law**  
(By Plaintiff against all Defendants)

18 81. Plaintiff incorporates herein by reference each and every allegation contained in  
19 the preceding paragraphs of this Complaint as though fully set forth herein.

20 82. Defendants intended to inflict severe mental or emotional distress on Andy Ngo.

21 83. Defendants' actions caused plaintiff to suffer severe emotional damage.

22 84. Defendants' actions consisted of multiple, extraordinary transgressions of the  
23 bounds of social toleration, namely the use of physical violence and intimidation tactics of  
24

1 threatened violence and stalking to both retaliate against Andy Ngo for his unfavorable news  
2 coverage of Antifa and suppress any such news coverage in the future.

3 85. Defendants caused Andy Ngo to suffer severe emotional distress, for which Ngo  
4 continues to receive ongoing medical treatment.

5 86. Defendants' actions or omissions proximately resulted in damages to Andy Ngo.

6 87. Defendants (1) committed these tortious acts in concert with each other and  
7 pursuant to a common design to target Andy Ngo and forcibly dissuade him from covering  
8 Antifa protests, (2) knew that each other's conduct constituted a breach of duty to not commit  
9 violence against Andy Ngo and gave substantial assistance or encouragement to the other Antifa  
10 members to engage in such conduct, and/or (3) gave substantial assistance to each other in  
11 accomplishing the tortious result and each member's own conduct, separately considered,  
12 constituted a breach of duty to the third person.

13 88. Ngo reasonably fears for his safety, and the safety of his family, and there exists a  
14 serious risk that Defendants will engage in further acts of violence against Ngo in retaliation for  
15 Ngo's continued journalistic coverage of Antifa activities, absent permanent injunctive relief.

16 **FOURTH CLAIM FOR RELIEF**  
17 **Racketeer Influenced and Corrupt Organization Act - ORS § 166.720, et seq.**  
18 **(By Plaintiff Against Rose City Antifa)**

19 89. Plaintiff incorporates herein by reference each and every allegation contained in  
20 the preceding paragraphs of this Complaint as though fully set forth herein.

21 90. Ngo was injured by Defendant Rose City Antifa's violations of the provisions of  
22 ORS §166.720 (1) and (4).

23 91. Rose City Antifa knowingly received proceeds derived directly and/or indirectly  
24 from a pattern of racketeering activity in connection with its establishment and operation of an

1 enterprise consisting of Defendants and others, in violation of ORS 166.720(1), and conspired or  
2 endeavored to do the same, in violation of ORS § 166.720(4).

3 92. Rose City Antifa has directed its members, including the many Doe Defendants  
4 clad in Rose City Antifa attire (black clothing and masks), to attack Ngo, including on or around  
5 May 1 and 7, 2019; June 29, 2019, and May 28, 2021, and others, to gain notoriety, and to  
6 thereafter obtain financial support in the form of donations. Rose City Antifa uses these funds to  
7 further their racketeering activities, including, to purchase materials, and to secure the release of  
8 Rose City Antifa members arrested by law enforcement. According to its online fundraising  
9 campaign, Rose City Antifa has raised over \$8,000 for these and other purposes.

10 93. Distinguishing characteristics interrelating the incidents of racketeering activity  
11 include black or dark colored clothing and masks worn by those associated with the racketeering  
12 enterprise, material support for their efforts from other enterprise associates, and a focus upon  
13 Ngo and others devoted to shedding light on their unlawful enterprise.

14 94. The pattern of racketeering activity includes violent assaults against Andy Ngo on  
15 at least five separate occasions in 2019 alone. The May 1, June 29, 2019, and May 28, 2021  
16 violent attacks detailed above against Andy Ngo constitute, at the very least, assault in the first,  
17 second, third, and fourth degree per ORS §§ 163.160 to 163.205. The violent attacks collectively  
18 constitute “rioting” under O.R.S. § 166.015.

19 95. Rose City Antifa’s pattern of racketeering activities were not, and are not, isolated  
20 incidents.

21 96. Rose City Antifa acted to suppress Ngo’s journalism through intimidation and  
22 violence, and all of their conduct detailed above was in furtherance of that goal.

23 97. Pursuant to ORS § 166.725, *et seq.*, Plaintiff is entitled to treble damages, court  
24 costs, and reasonable attorneys’ fees.

1 **JURY DEMAND**

2 98. Plaintiff demands trial by jury on all questions of fact raised by his Complaint.

3 **PRAYER FOR RELIEF**

4 99. WHEREFORE, Plaintiff Andy Ngo demands judgment against Defendants and  
5 prays for the following:

6 A. Compensatory damages exceeding \$300,000, trebled to  
7 \$900,000 pursuant to ORS 166.725(7)(a), and in a precise amount to be determined at  
8 trial;

9 B. Attorneys’ fees pursuant to ORS 166.725(14), and costs;

10 C. Pre-judgment interest;

11 D. Temporary, preliminary, and permanent injunctive relief prohibiting Defendants  
12 from harassing, threatening, harming, or attempt to do the same, to Ngo, and prohibiting  
13 Defendants from further engaging in acts in violation of ORS § 166.720, *et seq.*;

14 E. All other relief as this court may deem just and proper.

15 DATED: December 7, 2021.

16 */s/ James L. Buchal*  
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1 **CERTIFICATE OF SERVICE**

2 I, Carole Caldwell, hereby declare under penalty of perjury under the laws of the State of  
3 Oregon that the following facts are true and correct:

4 I am a citizen of the United States, over the age of 18 years, and not a party to or  
5 interested in the within entitled cause. I am an employee of Murphy & Buchal LLP and my  
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7 On December 7, 2021, I caused the following document to be served:

8 **FIRST AMENDED COMPLAINT**

9 in the following manner on the parties listed below:

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